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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/746,754	12/21/2000	Randall G. Smith	POLY 8	1016

6980 7590 07/31/2003

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EXAMINER

BHAT, ADITYA S

ART UNIT	PAPER NUMBER
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2863

DATE MAILED: 07/31/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/746,754

Applicant(s)

SMITH ET AL.

Examiner

Aditya S Bhat

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 May 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4, 9, 10, 17-27, 31 and 32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 9, 10, 17-27, 31 and 32 is/are rejected.
- 7) ☐ Claim(s) 28-30 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 December 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 6 & 14. 6) ☐ Other: _____

DETAILED ACTION

Objections

The statement of common ownership is objected to because it does not include a signature.

Claims 28-30 are objected to because of the following informalities: The file jacket indicates that there were claims 28-30. However, applicant has added new claims 28-29 and has not addressed previous claims 28-30. Therefore, newly added claims are now considered claims 31-32 and previous claims 28-30 have not been addressed since by the examiner no record of them exists in the file. Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-4, 9-10, 17-27 and 31-32 are rejected under 35 U.S.C. 102(e) as being anticipated by Martin (USPN 6,337,681).

With regards to claim 1, Martin (USPN 6,337,681) teaches method of calibrating positions between a location sensing electronic device and an electronic device coupled to a display device, comprising the steps of: projecting an image onto a surface of the location sensing electronic device; (Col. 1, lines 44-64)

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detecting a touch at a predefined point on the surface of the location sensing electronic device; (Col.1, lines 32-40) and
calculating a relationship between the predefined point on the surface of the location sensing electronic device and a position on the display device; (Col.1, lines 32-40)
wherein upon detecting the touch, the calculating step is initiated (Col.1, lines 32-40)

With regards to claim 9, Martin (USPN 6,337,681) teaches a system for calibrating positions between the surface of a location sensing electronic device and a display device of an electronic device, comprising:
a location sensing electronic device including a location-sensing surface; (Col. 1, lines 45-55)
an electronic device including a display device, the electronic device in communication with a projection device and the location sensing electronic device; (See figure 1)
the projection device including means for projecting an image on the location sensing electronic device; and (Col. 1, lines 45-65)
a calibration initiation means distant the electronic device; (See figure 12)
wherein upon activation of the calibration initiation means, positions between the surface of a location sensing electronic device and the display of an electronic device are calibrated. (See figure 12)

With regards to claim 17, Martin (USPN 6,337,681) teaches a method of calibration including the steps of
(i) providing a location sensing device, (Col. 1, lines 44-50)
(ii) providing an electronic device, (See figure 1)
(iii) initiating the calibration, (1000; See figure 12) and
(iv) performing the calibration of positions between the location sensing device and the electronic device, an improvement wherein the step (iii) of initiating the calibration comprises initiating the calibration at a location distant the electronic device. (See figure 12)

With regards to claim 31, Martin (USPN 6,337,681) teaches a method of calibrating positions between a resistive membrane whiteboard and a computing device coupled to a display device, comprising the steps of:

detecting a touch on the surface of the resistive membrane whiteboard at a predetermined location; (Col. 1, lines 44-64)

initiating a calibration sequence in response to said touch at said predetermined location, wherein said calibration sequence comprises: projecting an image onto the resistive membrane surface of the location sensing electronic device; (See figure 12)

detecting a touch at a point on the surface of the resistive membrane whiteboard corresponding to said projected image; (Col. 1, lines 44-64) and

calculating a relationship between the touched point on the surface of the resistive membrane whiteboard corresponding to said projected image and a position on the display device. (Col. 1, lines 44-64)

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With regards to claim 32, Martin (USPN 6,337,681) teaches a resistive membrane whiteboard system comprising:

a resistive membrane whiteboard; (Col. 1, line 46)

a processing device operatively connected to a display device, the processing device in communication with the resistive membrane whiteboard and a projection device for projecting an image on the location sensing electronic device; (See figure 1)

wherein the resistive membrane whiteboard system is adapted to initiate a calibration protocol in response to a touch on a surface of said resistive membrane whiteboard. (See figure 12)

With regards to claim 2, Martin (USPN 6,337,681) teaches detecting a touch at a predefined point comprises detecting selection of an actual button on the surface of the location sensing electronic device. (Col. 11, lines 62-65)

With regards to claim 3, Martin (USPN 6,337,681) teaches detecting a touch at a predefined calibration point comprises detecting selection of an actual button on an exterior frame of the location sensing electronic device.

With regards to claim 4, Martin (USPN 6,337,681) teaches detecting a touch at a predefined calibration point comprises detecting selection of a projected button on the surface of the location sensing electronic device. (Col. 5 & 6, lines 63-67 & 1-5)

With regards to claim 10, Martin (USPN 6,337,681) teaches the calibration initiation means is a projected button on the surface of the location sensing electronic device. (Col. 5 & 6, lines 63-67 & 1-5)

With regards to claim 18, Martin (USPN 6,337,681) teaches the location sensing device is a whiteboard, (Col.1, line 46) and wherein the electronic device is a computer (See figure 1).

With regards to claim 19, Martin (USPN 6,337,681) teaches the step of projecting an image onto the location-sensing device. (See figure 1)

With regards to claim 20, Martin (USPN 6,337,681) teaches the step of initiating the calibration at a location distant the electronic device comprises initiating the calibration with an actuation of the location-sensing device. (See figure 12)

With regards to claim 21, Martin (USPN 6,337,681) teaches the actuation of the location-sensing device is by stylus actuation.

With regards to claim 22, Martin (USPN 6,337,681) teaches the actuation of the location-sensing device is by stylus actuation of an image of a button. (Col.1, lines 48-50)

With regards to claim 23, Martin (USPN 6,337,681) teaches the actuation of the location-sensing device is by an electronically-detected stylus over an image of a button. (Col.1, lines 48-50)

With regards to claim 24, Martin (USPN 6,337,681) teaches the actuation of the location-sensing device is by a touch. (Col.1, line 45)

With regards to claim 25, Martin (USPN 6,337,681) teaches the step of initiating the calibration at a location distant the electronic device comprises initiating the

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calibration with the actuation of a button on a surface of the location-sensing device. (Col. 5 & 6, lines 63-67 & 1-5)

With regards to claim 26, Martin (USPN 6,337,681) teaches the step of initiating the calibration at a location distant the electronic device comprises initiating the calibration with the actuation of a button on a frame of the location-sensing device. (Col. 5 & 6, lines 63-67 & 1-5)

With regards to claim 27, Martin (USPN 6,337,681) teaches the step of initiating the calibration at a location distant the electronic device comprises initiating the calibration with a voice command. (Col.1& 2, lines 65-67 &1-5)

Response to Arguments

Applicant's arguments with respect to claims1-4, 9, 10 and 17-32 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Elrod et al (USPN 5,495,269) teaches a large area electronic writing system, Tosya (USPN 6323893) teaches a portable conference center, Bates et al. (USPN 5,565,894) teaches a dynamic touch screen button adjustment mechanism , Roberts (USPN 5,376,948) teaches a method and apparatus for touch input computer and related display employing touch force location external to the display, Findlay (EPPA 0 664 505 A2) teaches a touch sensitive display apparatus and Vogeley et al. (USPN 5,422,693) teaches a method and apparatus for interacting with a computer generated projected image.

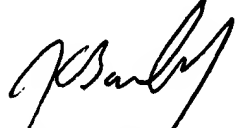
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aditya S Bhat whose telephone number is 703-308-0332. The examiner can normally be reached on M-F 9-5:30.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Barlow can be reached on 703-308-3126. The fax phone numbers for the organization where this application or proceeding is assigned are 703-308-5841 for regular communications and 703-308-5841 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.

Aditya S. Bhat
July 10, 2003


John Barlow
Supervisory Patent Examiner
Technology Center 2800